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SECRETARIAT  
OF  
THE ODISHA LEGISLATIVE ASSEMBLY  
NOTIFICATION

The 10th April, 2024

No.1905/L.A.— The following decision, dated the 10th April, 2024 of the Speaker, Odisha Legislative Assembly given under paragraph 6 (1) of the Tenth Schedule to the Constitution of India is hereby notified and published for general information:—

**“ DECISION OF THE SPEAKER, ODISHA LEGISLATIVE ASSEMBLY UNDER  
PARAGRAPH 6(1) OF THE TENTH SCHEDULE TO THE CONSTITUTION OF INDIA**

WHEREAS, Shri Prasanta Kumar Muduli, M.L.A., Odisha Legislative Assembly filed a petition on the dated 18th March, 2024 under Rule 6 of the Members of Odisha Legislative Assembly (Disqualification on Ground of Defection) Rules, 1987 framed under paragraph 8 of the Tenth Schedule to the Constitution of India stating his intention that Shri Premananda Nayak, a Member of the Odisha Legislative Assembly has become subject to disqualification as per provision contained in paragraph 2 (1) (a) of the Tenth Schedule to the Constitution of India as he has voluntarily given up primary membership from Biju Janata Dal in which ticket he was elected to the Odisha Legislative Assembly.

AND, WHEREAS, on consideration of the petition, I found that the petition complies with the requirements of Rule 6 of the Members of Odisha Legislative Assembly (Disqualification on Ground of Defection) Rules, 1987 and accordingly the copy of the petition and Annexure thereto were forwarded to Hon'ble Member, Shri Premananda Nayak vide this Secretariat Letter No.1757/L.A., dated the 19th March, 2024 but he did not responded to the petition. Thereafter he was asked vide this Secretariat Letter No.1819/L.A., dated the 2nd April, 2024 to appear before me on

dated 10th April, 2024 at 12 Noon for personal hearing as required under Rule 7(7) of the aforesaid Rules. He did not appeared before me nor responded to the communication in this regard.

AND, WHEREAS, taking into account the aspect of non-response of Shri Premananda Nayak, MLA to furnish his comments on the above petition and his non-appearance before me for personal hearing, I rely on the petition made by Shri Prasanta Kumar Muduli, Hon'ble Government Chief Whip and hold that Shri Premananda Nayak, MLA has voluntarily given up his membership of Biju Janata Dal which attracts the rigour of disqualification on ground of defection contained under paragraph 2 (1) (a) of the Tenth Schedule to the Constitution of India.

NOW, THEREFORE, taking all the above facts and circumstances into consideration I, in exercise of powers conferred upon me by the Tenth Schedule to the Constitution of India, hereby decide, declare and order as follows:—

#### **ORDER**

In exercise of the powers conferred upon me under paragraph 6 (1) of the Tenth Schedule to the Constitution of India I, Pramila Mallik, Speaker, Odisha Legislative Assembly, hereby declare that Shri Premananda Nayak, an elected member of the Odisha Legislative Assembly from 20-Telkoi (ST) Assembly Constituency has incurred disqualification in terms of paragraph 2 (1) (a) of the said schedule for being a member of Odisha Legislative Assembly.

Accordingly, Shri Premananda Nayak has ceased to be a Member of the Odisha Legislative Assembly with immediate effect and his seat in the Odisha Legislative Assembly shall thereupon fall vacant.

**PRAMILA MALLIK**

**SPEAKER**

**ODISHA LEGISLATIVE ASSEMBLY"**

**DASARATHI SATAPATHY**

**OSD-CUM-SECRETARY**